

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

**UNITED STATES OF AMERICA,**

**CASE NO. 12-CR-20292**

**vs.**

**HON. STEPHEN J. MURPHY III**

**D-2 TAHIR KAZMI,**

**Defendant.**

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**SENTENCING MEMORANDUM OF THE UNITED STATES**

The United States of America, through the undersigned Assistant United States Attorney, submits the following as its Sentencing Memorandum in the case of defendant Tahir Kazmi:

Defendant Kazmi is guilty of serious crimes wherein he breached his position of trust as a public official of Wayne County, Michigan. Kazmi used his government position to take approximately \$70,000 in bribes in the form of cash, trips, and other benefits from a county contractor. Kazmi took bribes which then influenced his decisions as a public official in awarding millions of dollars in county contracts. Kazmi's crime is even worse because he then engaged in a conspiracy to obstruct justice and to block federal law enforcement officials from uncovering his wrongdoing.

The punishment of the Court should send a clear message to other public officials that such conduct cannot and will not be tolerated. This case is another important instance of the need to deter public officials in southeastern Michigan from breaking the law and taking advantage of their public offices in order to personally enrich themselves. As a result, a significant sentence of imprisonment within the guidelines range is needed because of the seriousness of the crimes, the need for general deterrence, the need for punishment, and the need to promote respect for the law. The public needs to know that government officials who take tens of thousands of dollars in bribes and then engage in a coordinated cover-up will be punished.

**I. The Defendant's Crimes Were Serious**

The Defendant's criminal acts as a public official were serious crimes. Because of his position as a public official, defendant Kazmi owed a duty to provide clean and not corrupt government to everyone in Wayne County. Ultimately, public officials who demand payments for their own personal benefit from contractors raise the costs of public contracts, which are paid for by the taxpayers. This conduct also results in the retention of unqualified and unscrupulous contractors who are willing to give cash to public officials, rather than contractors willing to serve the public.

Defendant Kazmi was among the highest of public officials in the Wayne County government. From 2008 to February 2012, Kazmi was the Chief Information Officer of Wayne County. In his position of public trust, Kazmi controlled millions of dollars in information technology contracts.

During the course of his crimes, Kazmi accepted tens of thousands of dollars in cash bribes from a county contractor. In addition, Kazmi accepted bribes from the contractor in the form of expensive trips for Kazmi and his wife and children to Turkey, Hawaii, and Florida. Kazmi also accepted from the contractor a \$1,000 camera and cell phones for his children. As the head of the county's department of technology, Kazmi had been working with and overseeing work that the contractor was doing for the county. Kazmi's decisions as a public official awarding multi-million dollar contracts to the contractor were influenced by the bribes Kazmi accepted. Instead of simply doing his job and serving the public interest in exchange for his six figure salary, defendant Kazmi chose to serve his own interests to enrich himself. Such corruption of government officials is a significant problem in southeast Michigan, and the Defendant's contribution to that corruption was a serious crime.

## **II. Other Public Officials Need to Be Deterred From Taking Bribes**

The sentence imposed on defendant Kazmi must be sufficient to deter other government officials from taking advantage of their positions of trust for personal gain. Although there is little, if any, need to deter defendant Kazmi from future criminal acts, there is a strong need to send a decisive message to other public officials that they will receive serious punishment if they abuse their positions of trust. Every day, public officials face the temptation of abusing their positions of power. A sentence of imprisonment will send a strong message to public officials in southeast Michigan to not abuse their positions of trust. Government officials are uniquely positioned to take bribes and kickbacks from contractors they oversee, and a significant sentence of imprisonment for defendant Kazmi will help to deter corrupt decisions from being made in wielding that power.

## **III. The Sentence Imposed Should Promote Respect for the Law**

Given Kazmi's position as a public official, it is important that the Court's sentence promote respect for the law. A sentence of imprisonment would demonstrate that no one is above the law, no matter their position as a government official. In fact, public servants should be held to a higher standard given their positions of trust, power, and responsibility.

Kazmi argues that a sentence of imprisonment would amount to excessive and unjust punishment. Obviously, however, a sentence of *probation* for a high public official who took approximately \$70,000 in bribes would amount to a stunning injustice. Although Kazmi has cited numerous sentences imposed in other public corruption cases in this district, many of those sentences are inapposite. For example, many of the lower sentences were imposed on defendants who had cooperated and received a reduction in their sentences because they had provided substantial assistance. Judges in this district have imposed significant penalties on defendants in cases relating to corruption in the City of Detroit. In fairness, significant punishment also should be imposed in cases involving the Wayne County government.

#### **IV. Kazmi Engaged In A Conspiracy to Obstruct Justice**

This Court oversaw the trial of co-defendant Zayd Allebban. As a result, the Court is intimately familiar with the facts and circumstances of Kazmi's conspiracy with Allebban to obstruct justice and to block the FBI's investigation in 2011 and 2012. In furtherance of his conspiracy, Kazmi secured the assistance of Allebban. Kazmi also directed Allebban to make deliveries amounting to approximately \$24,000 in cash to the county contractor in an effort to keep the bribery quiet. Kazmi also participated in creating false and fraudulent documents in order to cover

up his crimes. These actions further demonstrate that Kazmi's crimes were not aberrant acts, but were instead part of long-standing criminal activity. As recognized in the sentencing guidelines calculation, Kazmi deserves additional punishment for his efforts to obstruct justice.

**V. Conclusion**

The United States respectfully requests that the Court impose a significant sentence of imprisonment within the guidelines range on the Defendant. Such a sentence would deter other public officials, is necessary given the seriousness of the Defendant's crimes, and would be just punishment for his crimes. Ironically, Kazmi would like the Court to recognize the fact that he stayed in his position in the Wayne County government out of a sense of giving back something to society, and that he gave up much more lucrative opportunities in the private sector so as to help the people of Wayne County. Of course, by staying in his position of public

trust as a high government official, Kazmi put himself in a position to take tens of thousands of dollars in bribes in order to enrich himself. Punishment should result from Kazmi's conduct.

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Dated: February 4, 2014

## **CERTIFICATE OF SERVICE**

I hereby certify that on Tuesday, February 04, 2014, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Laurence C. Burgess, Esq.  
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I further certify that I have mailed by United States Postal Service the document to the following non-CM/ECF participants:

N/A

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